

## REMARKS

Claims 1-19 are pending in the present application. Claim 19 was amended in this response. No new matter was introduced as a result of the amendment. Favorable reconsideration is respectfully requested.

Claim 19 was rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. In light of the present amendments to claim 19, Applicant respectfully submits the form of the claim is recited in a statutory manner. Withdrawal of the rejection is earnestly requested.

Claims 1-19 were rejected under 35 U.S.C. §102(e) as being anticipated by *Shankar* (US Patent 6,768,733). Applicants respectfully traverse this rejection. Favorable reconsideration is earnestly requested.

Applicant submits that Shankar fails to teach or suggest that the line units are optionally connected with no fixed order, as recited in claim 1. Apparently, the Office Action agrees in this regard. However, the Office Action goes further to claim that “rearranging or reversing working parts of a device involves only a routine skill in the art” (pages 4, 12), and cites *In re Japikse* and *In re Einstein* for support. Applicant respectfully submits that support on these cases is misplaced. In *In re Japikse*, claims to a hydraulic power press which read on the prior art except with regard to the position of the starting switch were held unpatentable because shifting the position of the starting switch would not have modified the operation of the device (See MPEP 2144.04(VI)(C)). Similarly, *In re Einstein* found that a mere reversal of essential working parts of a device involving only routine skill in the art did not make a claim patentable (*In re Einstein*, 46 F.2d 373, 8 USPQ 166 (CCPA 1931)).

However, these rulings are inapplicable to the present claims, as it is clear from the disclosure in Shankar that changing the line units would modify the operation of the device and render the device inoperable. Furthermore, the Office Action provides no support for the position that optionally connecting line units in no fixed order is something that is routine in the art. As was argued previously, Shankar discloses that the signaling through each machine component (OCC, UCM, TCC) is performed in a fixed manner. In other words, at the start of the call, the OCC converts signals for the UCM, which in turn converts signals for the TCC – none of these devices are capable of connecting in any “optional” manner. Under the disclosure

of Shankar, it would be impossible, for example, to optionally connect a terminating call control (TCC) module before an originating call control (OCC) module. In this case, the unit would be terminating a call before it even exists. Moreover, there is no identification of an "appropriate line unit given the protocol that is required" in *Shankar*, since there is only one process through which the protocols are converted, and each is dependant on the output of a previous module (col. 5, lines 32-53; col. 13, lines 1-61):

The originating call control (OCC) 122, instantiated at the start of the call, **converts** signaling messages between the protocol of the originating side, for example, DPNSS, and a non-protocol specific universal protocol.

The universal call model (UCM) 124, typically instantiated at the start of the call, handles calls in the converted universal protocol, arranges for messages to be routed ultimately to the other protocol converter, and controls the originating coding unit 110 over a control link 114 ...

[T]he terminating call control (TCC) 126, typically instantiated after routing analysis has determined the route, converts signaling messages between the universal protocol and the protocol that provides connectivity to the terminating signaling unit 140, which may in fact be different from the protocol of the terminating node 160. (col. 5, lines 36-53).

Since Shankar clearly fails to disclose these features, Applicant respectfully submits the rejection is improper and should be withdrawn.

Also, *Shankar* does not teach or suggest the features of directly passing on signaling messages, arriving at the at least one of the line units using a different external signaling protocol for switching of the data packets, to another of the line units with the aid of internal signaling messages defined for the signaling unit, wherein the internal signaling identifies an appropriate line unit for directly passing on signaling messages given the protocol that is required 1-2 and similarly recited in claims 17-19. As argued previously, the signaling process under the present claims is done within one signaling unit by using an internal signaling protocol. The internal signaling protocol comprises the interface between the different line units of the signaling unit, where the line units process a respective external signaling protocol into an internal signaling

protocol and vice versa to identify line units that are appropriate for directly processing external signaling messages.

The Response to Arguments misinterprets the teaching of Shankar in relation to the present claims. The Response to Arguments states that the message from the UCM to the TCC is directly passed because it does not undergo a conversion process (page 12, lines 5-8). However, when the signal is received at the UCM, it is already routed to the UCM using an internal signaling protocol (see col. 13, lines 7-12, "internal, universal '[Call]' message"). In this context, the UCM does not possess "a different external signaling protocol" as required by the claims. For the purposes of this term, only the OCC would qualify.

The OCC in *Shankar* receives a signaling messages from the originating node unit and transforms them into universal protocol messages (col. 5, lines 24-35). The universal protocol messages are forwarded to the UCM, which uses them to control the originating code unit using a control link (col. 5, lines 36-40). The universal protocol messages are then transferred to the TCC, which converts them into a signaling message of the protocol that provides connectivity to the terminating signaling unit (col. 5, lines 48-53). Thus, between the OCC and the TCC, signals are not directly routed since they require conversion in the UCM, which relies only on internal signaling protocols generated by the OCC (see col. 13, lines 20-21).

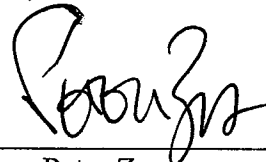
The claims clearly distinguish over the teachings of Shankar in this regard. Furthermore, the claims also require that signaling messages are directly passed on signaling messages by identifying an appropriate line unit given the protocol that is required (see amended specification, pages 9-10). In *Shankar*, the protocol does not "identify" a line unit, since all of the information is converted for a terminating unit of which a connection has already been established (col. 13, lines 49-61). The Response to Arguments fails to address this limitation.

In light of the above, Applicants respectfully submit that claims 1-19 are in condition for allowance, which is respectfully requested. Applicants earnestly request an early Notice of Allowance. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (0112740-273) on the account statement.

Respectfully submitted,

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